

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAR 18 1998
Returned to applicant for correction APR 13 1998
Corrected application filed JUN 08 1998
Map filed JUL 28 1998

The applicant DONALD J RILY, ELIZABETH C. RILY, AND HEATHER A. BOWMAN, hereby make application for permission to change the POINT OF DIVERSION, MANNER OF USE, AND PLACE OF USE OF A PORTION of water heretofore appropriated under PERMIT #22735, CERTIFICATE #6938

1. The source of water is UNDERGROUND
2. The amount of water to be changed 4 ACRE-FT, 0.0057 CFS
3. The water to be used for COMMERCIAL
4. The water heretofore permitted for IRRIGATION
5. The water is to be diverted at the following point SW $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION 3, T21S, R54E MDB&M, AT A POINT FROM WHICH THE SOUTH $\frac{1}{4}$ COR. OF SAID SECTION 3 BEARS SOUTH 44⁰ 27' WEST, 1836 FEET
6. The existing permitted point of diversion is located within SW $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION 3, T21S, R54E, MDB&M, AT A POINT FROM WHICH THE SOUTH $\frac{1}{4}$ COR. OF SAID SECTION 3 BEARS SOUTH 2⁰ 54' WEST, 1318 FT.
7. Proposed place of use THAT PORTION OF THE N $\frac{1}{2}$ OF THE SW $\frac{1}{4}$, SE $\frac{1}{4}$ OF SECTION 3, T21S, R54E, MDB&M LYING EASTERLY OF NEVADA STATE HWY 160 (APPROX 3.7 AC)
8. Existing place of use NW $\frac{1}{4}$ NE $\frac{1}{4}$ SECTION 17, T21S, R54E, MDB&M FROM THE SW COR. OF NW $\frac{1}{4}$ NE $\frac{1}{4}$ SEC 17, T21S, R54E, SOUTH 85⁰ 35' 06" EAST, 52.00' TO THE TRUE POINT OF BEGINNING, THENCE N 0⁰ 28' 11" W 1338.06', THENCE N 89⁰ 40' 17" W, 52.00', THENCE S 2⁰ 41' 38" E 1339.79' TO THE TRUE POINT OF BEGINNING. (0.8 AC)
9. Use will be from JANUARY 1 to DECEMBER 31 of each year.
10. Use was permitted from JANUARY 1 to DECEMBER 31 of each year.
11. Description of proposed works WELL, PUMP & ELECTRIC MOTOR PIPED TO COMMERCIAL BUILDING
12. Estimated cost of works \$10,000
13. Estimated time required to construct works 6 MO.
14. Estimated time required to complete the application of water to beneficial use 1 YR
15. Remarks: RESTAURANT/GAS/CONVENIENCE STORE

By DONALD JARAGOSKY
s/DONALD JARAGOSKY
P. O. BOX 550
PAHRUMP, NV 89041

Compared my/cms dl/cms

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 22735, Certificate 6938 is issued subject to the terms and conditions imposed in said Permit 22735, Certificate 6938 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0057 cubic feet per second, but not to exceed 4.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

June 24, 2000

Proof of completion of work shall be filed before:

July 24, 2000

Application of water to beneficial use shall be filed on or before:

June 24, 2003

Proof of the application of water to beneficial use shall be filed on or before:

July 24, 2003

Map in support of proof of beneficial use shall be filed on or before:

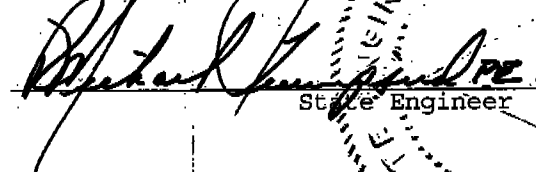
N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 24th day of June, A.D. 1999


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

